

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 633, Page 4, Section 301.227, Line 112, by inserting after all of said section and line the following:

“407.293. 1. (1) As used in this section and section 407.294, "commodity metal" means a metal containing brass, copper, copper alloy, aluminum, stainless steel, or magnesium or another metal traded on the commodity markets that sells for fifty cents per pound or greater. "Commodity metal" shall also include precious metals such as gold, silver, or platinum.

(2) As used in this section and section 407.294, "purchaser" is a person who purchases only small commodities, including retail jewelers, but shall not include salvage yards, or the like, that purchase whole vehicles that may contain small commodities as part of the vehicle nor does it include pawnbrokers, as defined in section 367.011.

2. A purchaser of commodity metals shall:

(1) Sign up with the scrap theft alert system maintained by the Institute of Scrap Recycling Industries, Inc., or its successor organization, to receive alerts regarding thefts of commodity metals in the purchaser's geographic area;

(2) Download and maintain the scrap metal theft alerts generated by the scrap theft alert system;

(3) Use the alerts to identify potentially stolen commodity metals, including training the purchaser's employees to use the alerts during the purchaser's daily operations.

3. A purchaser of commodity metals shall maintain for ninety days copies of any theft alerts received and downloaded under subsection 1 of this section. A purchaser shall also maintain documentation that the purchaser educates employees about, and provides to employees, scrap theft alerts.

4. Every purchaser of precious metals, including gold, silver, or platinum, shall keep a register containing a written or electronic record for each purchase or trade. There shall be a separate record for each transaction and such record shall contain the following data: a copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the precious metal is obtained, which shall contain a current address of the person from whom the precious metal is obtained, and the date, time, and place of and a full description of each such purchase or trade including the quantity by weight thereof. The records required under this subsection shall be maintained for a minimum of twenty-four months from when such precious metal is obtained and shall be available for inspection by any law enforcement officer.

1 407.294. 1. There is hereby created the "Commodity Metals Theft Task Force", hereafter known
2 as "task force".
3 2. The task force consists of the following ten persons or their designees:
4 (1) A member of the Missouri highway patrol appointed by the director of the department of
5 public safety;
6 (2) A sheriff appointed by a Missouri Sheriffs' Association;
7 (3) A municipal police chief appointed by the Missouri Association of Chiefs of Police;
8 (4) A contractor that uses commodity metals in construction;
9 (5) A representative of a national trade association or other organization that represents
10 commodity metals recyclers, such as the Institute of Scrap Recycling Industries, Inc., or its successor
11 organization or another entity representing comparable interests;
12 (6) A scrap metal dealer located in Missouri who is a member of the Institute of Scrap Recycling
13 Industries, Inc., or its successor organization;
14 (7) A representative of the Missouri municipal league or its successor entity;
15 (8) A representative of the County Commissioners Association of Missouri;
16 (9) A representative of a public utility that uses commodity metals; and
17 (10) A representative of a railroad company that operates in Missouri.
18 3. The task force shall hold its first meeting no later than January 1, 2013. At the first meeting,
19 the task force shall discuss the best way to distribute and use information related to theft of scrap metals,
20 including whether and how to promote use by law enforcement agencies of the scrap theft alert system
21 maintained by the Institute of Scrap Recycling Industries, Inc., or its successor organization. Thereafter,
22 the task force shall meet on a regular basis, convening at least every October, to discuss issues related to
23 theft of commodity metals, including sharing relevant information on theft of scrap metal, identifying
24 ways in which Missouri laws regulating commodity metals purchases can be improved to reduce theft, and
25 reviewing any performance problems or communication issues. The task force is specifically directed to
26 consider:
27 (1) Possible policies or practices to aid in tracking or apprehending stolen commodity metals
28 prior to the point of sale in order to assist law enforcement personnel in theft prevention and recovery of
29 stolen materials;
30 (2) Recommendations regarding when and how a commodity metals purchaser should be required
31 to apprise local law enforcement authorities if a purchased commodity metal is a potential match of a
32 commodity metal reported stolen in the scrap theft alert system; and
33 (3) The creation and attributes of a civil penalty process for egregious and repeat violators of the
34 recordkeeping requirements of this section.
35 4. A member of the task force, as designated by the task force, shall report annually to the
36 judiciary committees of the house of representatives and the senate or any successor committees regarding
37 the task force's meetings, findings, and recommendations.
38 5. Members of the task force shall not be compensated for, or reimbursed for expenses incurred
39 in, attending meetings of the task force.
40 6. This section shall expire July 1, 2017.”; and

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2 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.